

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Demetrius Jarod Smalls

Plaintiff

v.

Richard M. Gergel, Wallace Dixon, Alan M.

McCrary, and Margaret Seymour

Defendant

Civil Action No. 4:16-cv-3645-BHH

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the defendant (*name*) _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ___ %, plus postjudgment interest at the rate of ___ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____ recover costs from the plaintiff (*name*) _____.

☒ other: This case is dismissed with prejudice and without issuance and service of process. Moreover, this action is frivolous and constitutes Plaintiffs third strike pursuant to 28 U.S.C. § 1915(g).

This action was (*check one*):

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Bruce Howe Hendricks, United States District Judge. The court adopts the Report and Recommendation of the Honorable Thomas E. Rogers, III, United States Magistrate Judge.

Date: August 23, 2017

CLERK OF COURT

s/Debbie Stokes

Signature of Clerk or Deputy Clerk